



Order Filed on March 22, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

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Attorneys for HSBC Bank USA, National Association,  
as trustee of J.P. Morgan Alternative Loan Trust 2006-  
A5

In Re:

Nicholas Anthony Gargiulo,

Debtor.

Case No.: 19-11599 MBK

Adv. No.:

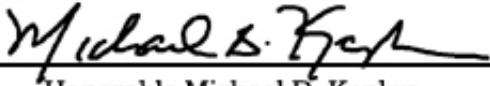
Hearing Date: 3/26/19 @9:00 a.m.

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

DATED: March 22, 2019

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: Nicholas Anthony Gargiulo

Case No.: 19-11599 MBK

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, HSBC Bank USA, National Association, as trustee of J.P. Morgan Alternative Loan Trust 2006-A5, holder of a mortgage on real property located at 16 Pinewood Road, Howell, NJ 07731, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and William H. Oliver, Esquire, attorney for Debtor, Nicholas Anthony Gargiulo, and for good cause having been shown;

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Debtor is to obtain a loan modification by 5/25/19, or as may be extended by an application to extend the loss mitigation period; and

It **ORDERED, ADJUDGED and DECREED** that Debtor shall make post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee may pay the arrears per the plan while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that in the event loan modification is unsuccessful, Debtor shall modify the plan to otherwise address Secured Creditor's claim.

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.